

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

CROWN CORK & SEAL COMPANY, INC. MASTER RETIREMENT TRUST, <u>et al.</u> , Plaintiffs, v. CREDIT SUISSE FIRST BOSTON CORP., <u>et al.</u> , Defendants.	Case No. 12-05803-JLG Judge James L. Graham
STATE OF ARIZONA, <u>et al.</u> , Plaintiffs, v. CREDIT SUISSE FIRST BOSTON CORP., <u>et al.</u> , Defendants.	Case No. 12-05804-JLG Judge James L. Graham
CITY OF CHANDLER, <u>et al.</u> , Plaintiffs, v. BANK ONE, N.A., <u>et al.</u> , Defendants.	Case No. 12-05805-JLG Judge James L. Graham
LLOYDS TSB BANK PLC, Plaintiff, v. BANK ONE, N.A., <u>et al.</u> , Defendants.	Case No. 12-07263-JLG Judge James L. Graham
METROPOLITAN LIFE INSURANCE COMPANY, <u>et al.</u> , Plaintiffs, v. BANK ONE, N.A., <u>et al.</u> , Defendants.	Case No. 12-07264-JLG Judge James L. Graham

**NOTICE OF CREDIT SUISSE'S RENEWED MOTION TO  
EXCLUDE THE EXPERT TESTIMONY AND REPORT OF BERNARD S. BLACK**

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PLEASE TAKE NOTICE that Credit Suisse Securities (USA) LLC and Credit Suisse AG, New York Branch (together, “Credit Suisse”), by and through their undersigned counsel, move this Court, before the Honorable James L. Graham, for an order pursuant to Federal Rule of Evidence 702 excluding the expert testimony and report of Bernard S. Black upon the following papers previously filed in In re National Century Financial Enterprises Inc., Investment Litigation, No. 2:03-md-1565 (S.D. Ohio) (the “MDL”):

- Memorandum of Law of Credit Suisse Securities (USA) LLC and Credit Suisse, New York Branch in Support of Their Motion to Exclude the Expert Testimony and Report of Bernard S. Black, dated July 17, 2009 (MDL Docket No. 1653).
- The Affidavit of Matthew J. Lawson in Support of Credit Suisse Securities (USA) LLC and Credit Suisse, New York Branch’s Motion to Exclude the Expert Testimony and Report of Bernard S. Black, sworn to July 16, 2009 (MDL Docket No. 1653).

Credit Suisse first moved for the relief requested herein on July 17, 2009 (MDL Docket No. 1649). On March 2, 2012, the Court denied Credit Suisse’s motion “without prejudice to renewal before the trial court.” In re Nat’l Century Fin. Enter., Inc., 846 F. Supp. 2d 828, 876 n.16 (S.D. Ohio 2012). In accordance with the Court’s November 27, 2012 Pretrial Scheduling Order, Credit Suisse hereby renews its Motion to Exclude the Expert Testimony and Report of Bernard S. Black at this time and submits the above docket references to its previously-filed papers. As instructed by the Court during the November 26, 2012 telephonic status conference, Credit Suisse is not refiling the papers in support of this renewed motion.

Dated: New York, New York  
December 21, 2012

Respectfully submitted,

BINGHAM MCCUTCHEN LLP

By: /s/ Jeffrey Q. Smith  
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**CERTIFICATE OF SERVICE**

I hereby certify that on December 21, 2012 the foregoing was served upon all parties by electronic delivery through the Court's ECF document filing system.

/s/ Matthew J. Lawson  
Matthew J. Lawson